

Message Text

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PAGE 01 MANILA 00014 020517Z

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ACTION EB-07

INFO OCT-01 EA-07 ISO-00 L-03 COME-00 SCS-03 SCA-01 DOTE-00

FAA-00 CIAE-00 INR-07 NSAE-00 /029 W

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P 020312Z JAN 76

FM AMEMBASSY MANILA

TO SECSTATE WASHDC PRIORITY 0000

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O 11652: N/A

TAGS: EAIR, RP

SUBJ: PAL DC-10 SEIZURE--COURT APPEAL

1. ECOM/COMMERCIAL COUNSELOR WAS INFORMED BY PAL VP IGOA JANUARY 2 THAT PAL HAD APPEALED EARLIER COURT DECISION AND HAD APPROACHED JUSTICE DEPARTMENT ATTORNEYS RE POSSIBLE OUT OF COURT SETTLEMENT. JUSTICE LAWYERS APPARENTLY TOLD PAL ATTORNEY THAT ANY SETTLEMENT BELOW \$50,000 WAS QUOTE OUT OF THE QUESTION UNQUOTE AND THAT JUSTICE PREFERRED A MINIMUM PENALTY OF AT LEAST \$100,000. BECAUSE OF THIS RATHER UNEXPECTEDLY STEEP JUSTICE RESPONSE, IGOA SAID PAL HAD DECIDED TO PROCEED WITH THE APPEAL, AND A HEARING HAS BEEN SET FOR JANUARY 9.

2. EMBASSY FINDS THE REPORTED JUSTICE POSITION, IF CORRECTLY RELATED, TO BE A GOOD DEAL STIFFER THAN EXPECTED. IT IS CERTAINLY MUCH TOUGHER THAN THE EMBASSY, GOP, OR PAL HAS BEEN LED TO CONSIDER ADEQUATE.

3. REQUEST DEPARTMENT DISCUSS THIS MATTER WITH USCAB AND WITH JUSTICE TO SEE WHETHER A MORE MODEST SETTLEMENT CAN BE AGREED. IN LIGHT THESE DISCUSSIONS, EMBASSY WOULD APPRECIATE DEPARTMENT GUIDANCE ON WHAT MIGHT NOW BE SAID TO PAL REGARDING PROSPECTS FOR OUT OF COURT SETTLEMENT.

SULLIVAN

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Message Attributes

Automatic Decaptioning: X
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Draft Date: 02 JAN 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: morefirh
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Margaret P. Grafeld
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